

## **REMARKS**

Further to the Final Office Action mailed February 9, 2009 and the telephonic interview with the Examiner on May 14, 2009, the Applicants submit these amendments in addition to the amendments submitted in the Response to Final Office Action mailed February 9, 2009. Changes were made to independent claim 4. The Applicants hereby incorporate by reference the remarks from the Response to Final Office Action mailed February 9, 2009. The Applicants respectfully request entry of these amendments and reconsideration in view of those remarks.

### **I. Examiner Interview Summary**

The Applicants thank the Examiner for courtesies extended during the telephonic interview on May 14, 2009 with Olivia Tsai (Reg. No. 58,350) and Jonathan Miller (Reg. No. 48,534). The Examiner provided suggestions for amendments that would advance prosecution of this case. The Examiner confirmed by email on May 19, 2009 that the above amendments to independent claim 4 were in line with the Examiner's suggestions. No specific agreement was reached regarding substantive rejections. The Examiner confirmed once again that the amendment submitted in the RCE would overcome the 35 U.S.C. § 101 rejection.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated

5/2/09

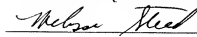
  
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### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

  
Melissa Stead

5-21-09

Date